



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 16, 2008

By Hand

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 755
New York, New York 10007

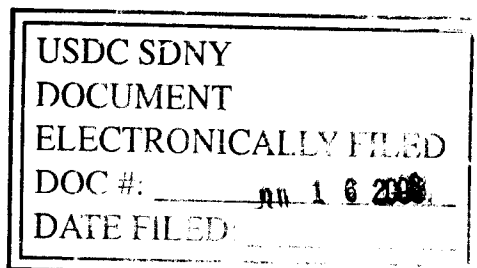
Re: United States v. Lethem Duncan,
08 Cr. 644 (JGK)

Dear Judge Swain:

The Government respectfully submits this letter, and the enclosed proposed order, to request that the Court unseal the above-referenced information (the "Information"), which was filed yesterday, upon the defendant's waiver of indictment, before the Honorable John G. Koeltl, United States District Judge.

At the conclusion of yesterday's proceeding, the Court granted the parties' joint application to seal the record. The basis for that request was the Government's concern that the public filing of the information could compromise an ongoing investigation. Late last night, and early this morning, those ongoing investigative efforts concluded when three of the defendant's co-conspirators were arrested.

Accordingly, since the need for sealing the record no longer exists, the Government respectfully requests that the record from yesterday's proceeding, including the Information, be unsealed.




Hon. Laura Taylor Swain, U.S.D.J.
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A proposed order is enclosed.

Respectfully Submitted,

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Southern District of New York

By: 

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(Enclosure)

cc: Steven Frankel, Esq.
Attorney for Lethem Duncan

(By Facsimile)